



LAW OFFICES

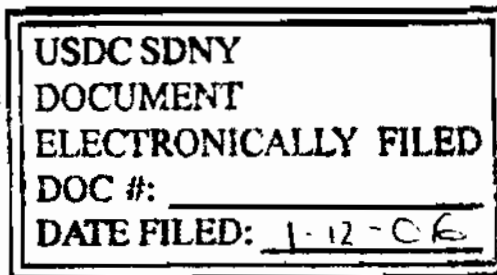
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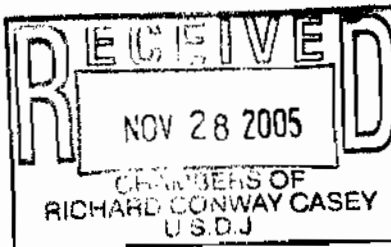
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November 23, 2005

Sent via Federal Express

The Honorable Richard Conway Casey  
Daniel Patrick Moynihan Courthouse  
500 Pearl Street, Room 1350  
New York, NY 10007-1312



Re: In re Terrorist Attacks on September 11, 2001, 03 MDL 1570 (RCC)  
Relating to: *Havlish, et al., v. bin-Laden, et al., 03-CV-9848 (RCC)*

Dear Judge Casey:

As directed by a member of your staff, I am respectfully submitting this written request for the Court to consider our Motion for Leave to File Second Amended Complaint and Notice of Intent to Withdraw Motion for Class Certification in the *Havlish* case.

Our Motion, and accompanying proposed Second Amended Complaint, was filed with the Court on September 30, 2005. To the best of our knowledge, there is no opposition to this Motion. As a practical matter, we would like perfect service of the Second Amended Complaint on the named defendants forthwith. Parenthetically, we completed service of the first Amended Complaint and Rule 55(a) Defaults were entered against the defendants on December 23, 2002 and December 25, 2002 by the Honorable James Robertson of the United States District Court, Washington, DC. However, both factual and legal developments over the past three years compel us to file the Motion to Leave to File a Second Amended Complaint and to serve, once again, all named defendants.

Thank you for your consideration of our request.

Respectfully submitted,

*THOMAS E. MELLON, JR.*  
THOMAS E. MELLON, JR.

*Application granted*

*1/12/06*

*Richard Conway Casey*

TEM:kam

cc: All Counsel of Record (via email)